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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Latvia

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I. Methodology

1. The report of Latvia in the framework of the second cycle of the Universal Periodic Review ("UPR") has been prepared pursuant to guidelines contained in Paragraph 5 of the Annex to the United Nations ("UN") Human Rights Council Resolution no.16/21.

2. The first report of Latvia in the framework of the UPR was examined on 11 May 2011. Latvia received 122 recommendations in total, 71 of them were accepted.[1]

3. The Ministry of Foreign Affairs ("MFA") is responsible for the preparation of the report and for its coordination. An inter-institutional working group was set up for preparation of the report.[2] The draft report was forwarded for evaluation to the Ombudsman's Office and non-governmental institutions ("NGOs"), which presented their opinion and comments.

4. The report contains information about Latvia's key accomplishments, good practices and challenges in the field of human rights after the first UPR cycle.[3]

II. Accomplishments, good practices and challenges

Gender equality

5. Latvia has achieved great progress in women's involvement in decision-making, especially in economy. One third of all enterprises in Latvia belong to women. In 2014, 31.44% of all positions in company boards and councils were held by women. Furthermore 31% of companies listed on stock exchange were managed by women, which is the second highest indicator in the European Union ("EU").[4] At the same time the gender pay gap remains topical and various measures have been taken to address its root causes, as well as to raise public awareness.

6. There is a tendency that women are better educated than men particularly as regards higher education: in 2009 the proportion of women among graduates was 71% and in 2014 – 65%. At the same time, women are less represented in scientific and technical disciplines at all levels of education, which is also reflected in the labour market. To reduce educational segregation, in 2013 the working group established by the Gender Equality Committee (see paragraph 119) elaborated recommendations "On the integration of gender equality aspects into process and content of all educational levels until 2020." Continued attention must be paid to the performance of boys in order to reduce differences in school achievements in reading, mathematics, and natural sciences, as well as to reduce the number of children, especially boys, who have "fallen out" of the education system.

Domestic violence

7. On 31 March 2014, complex amendments to legal acts introducing temporary protection against violence entered into force. Even though the amendments are recent, the case law in application of such norms is already advanced. Latvia continues to improve legal framework in order to join the Council of Europe Convention on preventing and combating violence against women and domestic violence.

Trafficking in human beings

8. In 2013-2014, a number of improvements to the normative framework for combating human trafficking have been made, for example, providing for the right of a victim of human trafficking to receive a State compensation. Victims who participate in criminal proceedings on human trafficking as victims or witnesses are entitled to receive additional support services for up to 150 hours per year.[5]

9. State funding for social rehabilitation for victims of human trafficking has been increased considerably.[6] To the victims of human trafficking, State-provided social rehabilitation, State compensation, period of recovery, residence permit, special protection, medical care, education, and access to the labour market are guaranteed.

10. One of the challenges has been the dispelling of stereotypes about men–victims of human trafficking, who need a lot of persuading to receive support. The current trend indicates that the number of men who apply for social rehabilitation services increases gradually (in 2011 – 1 man; in 2012 – 3; in 2013 – 0; in 2014 – 8).

Maternal and child health

11. In recent years a particular attention has been paid to improvement of the health of mother and child. The year 2012 was announced as the Year of the Health of Mother and Child and during the year a wide range of measures was implemented. Moreover in 2012, the Maternal and Child Health Improvement Plan (2012–2014) was adopted.[7]

Society integration

12. Latvia has achieved a considerable progress in facilitation of the naturalization process[8] by reducing the number of non-citizens[9] from 29% (730,000) in 1995 to 12.2% (262,622) in January 2015. Since the amendments to the Citizenship Law entered into force in 2013 (see paragraph 20), the number of new-borns (whose parents are both non-citizens) that are registered as Latvia's citizens has risen from 52% to 82.3%. In total, 99% of children born in Latvia in 2014 are citizens of Latvia (in comparison, in 2011 – 96.7%).

13. In recent years the Latvian language proficiency among persons belonging to national minorities has improved considerably, especially among the youth. According to the study "The Sense of Belonging to Latvia" (2014), more than 94% of persons belonging to national minorities have the knowledge of the Latvian language at some level. If in 1996 only 49% of persons aged 18–24 years evaluated their Latvian language proficiency as good, then in 2014 already 77% – as excellent and good. The number of students belonging to national minorities who have chosen the Latvian language as a language of examination has also increased significantly (in 2014 – 79%; 2015 – 76%; 2010 and 2011– 60%).

14. In 2012, the Society Integration Foundation ("SIF") relaunched the program "Latvian Language Training for Adults" and in study year 2012/2013 training of the Latvian language was provided to 1625 persons (State budget – 231,217 EUR). The State Employment Agency also organizes the Latvian language courses, which significantly contributes to the State language proficiency. In 2010–2014, 36,688 persons were trained (funding – 13,426,984 EUR; funding planned for 2015 – 1,131,131 EUR).

E-governance

15. In 2009–2013, the proportion of private persons who use the Internet on a regular basis has increased by 20% (in 2009 – 50%, in 2013 – 70%). The range of e-services is expanded constantly. In June 2015, in total 99 e-services implemented in cooperation with national and local government institutions were available in portal www.latvija.lv. In 2011, portal ManaBalss.lv commenced its operation: it is a platform of public initiatives where each citizen of Latvia aged above 16 years may propose legislation initiatives. Each initiative signed by at least 10,000 citizens is referred to the *Saeima* (the Parliament). In 2013, the Information Society Development Guidelines (2014–2020) were accepted, where one of the key principles is ensuring access to information, thus facilitating respect for human rights, gender equality, education, public participation, and public transparency.

16. On 11 March 2011, the legal framework of the e-health – the CM Regulation No.134 "Regulation on the Single Health Sector Electronic Information System" – was approved, which provide that the medical institutions should start using before 2016 the e-health solutions, for example, writing out of e-prescriptions and sick-leave e-certificates.

III. Improvements in normative and institutional framework

17. The normative and institutional framework for the promotion and protection of human rights was described in detail in Latvia's report submitted during the first UPR cycle.

A. Domestic legal acts

Preamble of the *Satversme* (Constitution)

18. On 19 June 2014, after long and comprehensive discussions in public and among experts and lawmakers, *Saeima* adopted the Preamble of the *Satversme* (Constitution). The Preamble does not amend norms and principles of the *Satversme*, but strengthens them by reflecting aims and fundamental principles of the State of Latvia and the essence of the constitutional identity of Latvia. The Preamble repeatedly asserts principles of democracy, pluralism, and human rights embodied in the *Satversme*, which clearly and irrevocably determine and guarantee the rights of persons belonging to national minorities to maintain and develop their language and ethnic and cultural identity.

Amendments to the Citizenship Law

19. On 9 May 2013, after two years of thorough discussions, the *Saeima* adopted Amendments to the Citizenship Law ("the Amendments") that entered into force on 1 October 2013. First, considering Latvia's historical background, currently increasing mobility of persons and the need to sustain ties with citizens all over the world, the Amendments significantly extended the scope for dual citizenship. In terms of the Amendments dual citizenship means that citizens of certain countries may acquire Latvian citizenship while retaining their original citizenship, and vice versa. Second, with the Amendments the procedure for granting citizenship has been further simplified. For instance, one parent's consent is sufficient to register a new-born child whose parents are stateless or non-citizens as a citizen of Latvia at the time of the birth registration. In addition, a child under the age of 15 that has not been registered as a citizen of Latvia at the time of the registration of their birth can be registered as a citizen with an application submitted by one of the parents (previously – by both parents). Between 15 and 18 years of age, a child can themselves apply to be registered as a citizen. Furthermore, requirements

regarding permanent residence period for a naturalization applicants have been simplified, and the language test requirements and exemptions therefrom have been defined more precisely. For example, pupils who have acquired more than half of the basic educational program in the Latvian language are exempt from all naturalization examinations.

B. Institutional framework

Reform of the Internal Security Office of the State Police

20. In order to provide efficient, objective and independent investigation of criminal offences committed by officials of law enforcement agencies, on 17 December 2014, the *Saeima* adopted the Internal Security Office Law, which provides for establishment of a new institution under the supervision of the Minister of Interior, thus taking over the functions of the Internal Security Office of the State Police in investigating of criminal offences committed by officials of the State Police.[10] The new office will commence the operation on 1 November 2015.

21. In his comments on the draft report, the Ombudsman invited to pay attention to strengthening the capacity of this institution by attracting human resources and training of current employees.

National human rights institution (91.5–91.7; 92.1–92.4; 93.17–93.20)

22. The Ombudsman's Office is the national human rights institution of Latvia which acts in accordance with the UN Paris Principles. The Ombudsman Law states that the Ombudsman is independent and subject only to law. The Office both, reviews individual applications and solves systemic problems in the field of human rights. Functions of the Office also cover issues related to the rights of the child; for this purpose the Division of the Rights of Children is established.

23. In 2010, the Ombudsman's Office received 1359 individual applications; in 2011 – 2246, in 2012 – 2633; in 2013 – 2563; and, in 2014 – 1877.[11] The number of applications has gradually decreased because some applicants have chosen consultations in person, or to receive reply electronically. The replies are also provided to applications submitted in foreign language.

24. The Ombudsman exercises his rights to submit an application to the Constitutional Court and to present his opinion to the *Saeima* and the Constitutional Court about amendments to laws. In 2014, the Ombudsman provided 17 opinions to the Constitutional Court and 35 opinions to the public authorities about draft legal acts.

25. Due to the economic crisis, in 2011 the Government allocated 788,378 EUR for implementing of the Ombudsman's Office functions. In subsequent years the funding increased, reaching 1,126,296 EUR in 2014.[12] In order to ensure more efficient functioning of the Office, the Government on several occasions has allocated additional funds; in 2014 the CM granted additional funding of 92,169 EUR.

26. Even though the currently available funding does not allow establishment of a regional office, representatives of the Ombudsman's Office regularly organize sessions outside the Office headquarters, thus promoting the accessibility of the Office in regions of Latvia.

27. An important function of the Ombudsman's Office is public awareness-raising about human rights and mechanisms of their protection. The Office organizes annual conference about topical human rights issues, campaigns, educational seminars, discussions, and consultations and publishes thematic reports[13] and varied informative materials.

28. In March of 2015 the Ombudsman's Office was accredited in the International Coordinating Committee of National Human Rights Institutions, which granted to it the accreditation status "A".

Cooperation with non-governmental organisations (92.7)

29. In January 2014 the Government approved a new memorandum on cooperation between NGOs and the CM. Its purpose is to strengthen the involvement of the civil society at all levels and stages of decision-making. The memorandum has been signed by representatives of more than 350 NGOs. The Memorandum Implementation Council promotes the application of aims and principles of the memorandum in the public administration.

30. Many public authorities have established advisory councils involving NGOs and human rights experts. Between 2011 and 2014, the number of NGOs involved in the advisory councils has gradually increased from 830 to 1128 organisations. Representatives of NGOs are often included in inter-ministerial working groups which prepare draft legal acts and policy planning documents. NGOs have a possibility to submit proposals during the coordination of draft laws and participate in sessions of the *Saeima* committees by presenting their opinion and proposals on draft laws.

31. In his comments on the draft report, the Ombudsman reminded that he has recommended strengthening of NGOs to facilitate involvement of the public in advocating of its interests. Therefore, the Ombudsman has supported the proposal to finance specialized NGOs from the State budget.

C. International commitments (91.1–91.4, 91.15–91.16, 93.35–93.38)

32. Latvia has acceded to the major UN human rights instruments and regularly submits reports to their monitoring mechanisms.[14]

33. On 19 April 2013, Latvia acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty. Already since September 1996 the death penalty moratorium has been established in Latvia and no person has been sentenced to death penalty or executed. In addition, on 1 January 2012, amendments to the Criminal Law ("the CL") entered into force excluding the death penalty as a type of penalty.

34. On 18 August 2014, Latvia ratified the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse.

35. Over the time, Latvia will evaluate the possibility of acceding to other international instruments. At the same time Latvia emphasizes the work of the European Court of Human Rights ("the ECtHR") and its extensive competence in the field of promotion and protection of human rights by receiving and reviewing individual applications. Every person is entitled to submit an application to the ECtHR if he or she deems that Latvia has violated the rights provided for in the European Convention for the Protection of Human Rights and Fundamental Freedoms. Judgements of the ECtHR are legally binding, and the respondent State is obliged to prevent similar violation from occurring in the future, including by amending the existing legal framework, if necessary.

36. Latvia closely cooperates with the UN special procedures mandate holders. In 2012, the UN Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights visited Latvia. Latvia continues the initiative to invite the States to closely cooperate with special procedures, including by issuing standing invitations.

37. To promote the observance and protection of human rights, Latvia has worked actively both, at national and international level. This is confirmed by Latvia's membership in the UN Economic and Social Council (2011–2013), the UN-Women Executive Board (2013–2015) as well as election to the UN Human Rights Council for period from 2015 to 2017.

IV. Implementation of recommendations received in the first UPR cycle

A. Elimination of all forms of discrimination (91.22; 92.5–92.9; 93.2–93.29; 92.34)

38. The legal framework in force in Latvia and international obligations assumed by Latvia provide that human rights are ensured without discrimination of any kind. Domestic legislation provides for administrative and criminal liability for violation of the non-discrimination principle. The State undertakes the responsibility for raising the welfare of all inhabitants of Latvia and for their social security. Inhabitants of Latvia receive social guarantees and social assistance based on equal principles and in equal amount.

39. On 29 October 2014, amendments to Article 149[1] of the CL entered into force providing for criminal liability for discrimination on the grounds of racial or ethnic origin, nationality or religious affiliation or for the violation of the prohibition of any other type of discrimination, if substantial harm is caused thereby[15]. A more severe liability is provided for these criminal offences if they have been committed by a public official, or a responsible employee of an enterprise (company) or organisation, or a group of persons, or if they are committed using automated data processing system.

40. On 2 January 2013, the Law on Prohibition of Discrimination against Natural Persons – Performers of Economic Activities entered into force. The new law improves the current legal framework by providing for prohibition of different treatment in private and public sphere in relation to a natural person who is willing to perform or performs an independent activity for remuneration not only on the grounds of person's gender, racial and ethnic origin, but also disability, sexual orientation and political, religious or other beliefs.

41. On 22 May 2013, amendments to the Electronic Mass Media Law entered into force, whereby Article 35 of the Law provides for prohibition in commercial announcements of incitement to hatred and inviting to discriminate against any person or group of persons based on sex, age, religious, political or other beliefs, sexual orientation, disability, racial or ethnic origin, nationality or other grounds.

42. One of the action lines included in the National Identity, Civil Society and Integration Policy Guidelines (2012-2018) adopted in 2011, is promotion of inclusion of socially marginalized groups into the society and the elimination of discrimination. For achieving this aim, since 2012 a number of measures[16], including awareness raising and educational activities have been implemented.

43. The Ombudsman's Office also has a significant role in elimination of discrimination of any kind. The Office provides legal assistance to victims of discrimination and regularly implements measures aimed at raising public awareness. In 2012, in cooperation with the Association of Disabled Persons and Their Friends "Apeirons", the Office organized the campaign "One could have a job here" aiming to eliminate discrimination at workplaces.

44. In 2013, Riga Graduate School of Law in cooperation with the MFA organized conference "Promoting Tolerance in Latvia: Legislation, Policy and Practice".[17] In the conference, Latvia's and international experience in three fields was analysed: hate crime as aggravating circumstance in the Criminal Law, elaboration and implementation of tolerance promotion policies in Latvia and role of politicians in context of hate speech and inclusive societies.

45. In 2012 particular attention was paid to elimination of age-based discrimination in the labour market. In the context of the European Year for Active Ageing and Solidarity between Generations, a variety of measures[18] were taken in Latvia.

46. In 2013–2014, in the framework of the section "Diversity and Combating Discrimination" of the Community Programme for Employment and Solidarity – PROGRESS (2007–2013), the SIF in cooperation with the Latvian Centre for Human Rights and Latvian Judicial Training Centre implemented the project "Different People, Various Experiences, One Latvia." Very wide range of activities was implemented during the project.[19]

47. In 2014, the project "Different people, Various Experiences, One Latvia II" was launched with the aim to raise public awareness, to improve the professional skills of public sector employees by promoting diversity management at workplaces, non-discrimination and equal opportunities.

48. The SIF implements the program "NGO Fund" that is co-financed by the European Economic Area under which NGOs can submit applications for projects aimed at development of civil society and support for social justice, democracy, sustainable development, and inter-cultural dialogue, including the elimination of racism, xenophobia and discrimination.

49. In June 2015, the EuroPride took place in Riga.[20]

50. In 2012-2013, the project "Combatting discrimination based on sexual orientation and gender identity" of the Council of Europe was implemented in Latvia. In the framework of the project the NGO "Association of Lesbian, Gay, Bisexual, Transgender people ("the LGBT") and their friends "Mozaika"" elaborated a draft action plan "Development of an equal and respectful society (2015-2017)", which has been submitted to the Government. In the framework of the project more than 20 activities related to the LGBT rights matters were also implemented, including reviewing of legal framework, organising of seminars, discussions and trainings.

51. In its comments on the draft report the "Resource Centre for People with Mental Disability "ZELDA"" ("the Resource Centre "ZELDA"") emphasized the necessity to improve practical application of anti-discrimination norms, for example, of those enshrined in the CL, especially in relation to understanding of the concept "substantial harm".

B. Human rights education (92.6)

52. Issues related to the respect for human rights – tolerance, prohibition of discrimination, cultural diversity, and gender equality – are integrated into content of a number of subjects of basic education and general secondary education. Educational materials include also topics related to the risks of human trafficking and fictitious marriages.

53. Human rights matters are included in educational and professional development programs of the public administration institutions, the State Police College, the State Border Guard College and the State Police.[21] Regular training and seminars for officials of the Prison Administration and the Office of Citizenship and Migration Affairs ("the

OCMA") are organized as well. Expert training is often organized in cooperation with NGOs and the Ombudsman's Office.

54. Since 1995 the Latvian Judicial Training Centre ensures continuing education and professional development for judges and judicial staff, prosecutors, and advocates. The purpose of the Centre is to raise the quality of court judgements and to prepare professionals for a quality work in the EU judicial system. Training on human rights matters is organized regularly.[22]

55. In order to raise prosecutors' qualification in the field of human rights, training and seminars are organized regularly, including on the principles of equality and non-discrimination, human trafficking and rights of the child.

C. Combating hate crimes (91.24–91.25; 92.10; 93.30–93.33)

56. On 29 October 2014 the amendments to the CL (Articles 48, 78, 149[1], and 150) entered into force providing for substantial changes in the regulatory framework for combating hate crimes.[23]

57. Article 78 of the CL provides for criminal liability for incitement to national, ethnic, racial or religious hatred or enmity.[24] In Article 48 of the CL committing of a criminal offence due to racist, national, ethnic or religious motives is recognised as an aggravating circumstance.

58. Article 150 of the CL provides for criminal liability for act aimed towards inciting hatred or enmity because of the gender, age, disability of a person or any other characteristics (including sexual orientation of a person), if substantial harm has been caused thereby.

59. On 15 May 2015, Article 74[1] of the CL was clarified and now provides for criminal liability for public glorification of genocide, crime against humanity, crime against peace or war crime or glorification, denial, acquittal or gross trivialisation of committed genocide, crime against humanity, crime against peace or war crime, including genocide, crime against humanity, crime against peace or war crime committed by the Union of Soviet Socialist Republics ("USSR") or Nazi Germany against the Republic of Latvia and its inhabitants.

60. Number of criminal offences registered in Latvia with motives based on hatred or prejudices is small.[25] Since 1991, no racism-motivated homicide or any other offence with serious consequences has been registered. Every person is entitled to submit a report on hate crimes.[26]

61. In 2011–2014, a number of measures were implemented to educate the State Police personnel and to raise public awareness about hate crimes. Issues related to combating hate crimes are included in the human rights training program of the State Police College. The State Police College has conducted researches and elaborated a number of publications on this subject.

62. In 2012–2013, officials of the State Police College, the State Police and the Security Police participated in training about the radicalization phenomenon and the methods of its identifying, which was organized in the framework of the European Commission program "Prevention of and the Fight against Crime".[27]

63. On 23 December 2014, the State Police and the Organization for Security and Co-operation in Europe ("the OSCE") concluded a memorandum on introduction of training against hate crimes in programs of law enforcement agencies. In 2015, the OSCE will implement two training courses for teachers of the State Police College and chiefs of

structural units of the State Police. In future, such training will be permanently included in the education process of the State Police personnel.

64. Identification and combating of hate crimes and hate speech manifestations in the virtual environment is closely related with cybercrimes. At national level, this issue is addressed in guidelines "Cyber Security Strategy of Latvia (2014–2018)" because an automated data processing system can be used as a medium in circulation of information that is illegal and offends honour and dignity.

65. Significant contribution to the elimination of hate speech is provided by NGO's. In the period from 1 July to 31 October 2014, the NGO "Latvian Centre for Human Rights" implemented the project "NGO Capacity Building to Combat Online Hate" during which the content and comments published in Internet versions of newspapers and magazines and in social networks were monitored. The purpose was to identify hostile content, to report it and to examine the effectiveness of different reporting methods.

66. Latvia actively participates in the Working Party on Hate Crime established by the EU Agency for Fundamental Rights. During the Latvian Presidency of the Council of the EU the second meeting of the Working Party was hosted in Riga.

D. Society integration

1. Promotion of rights of persons belonging to national minorities (91.23; 91.46; 92.15; 93.41)

Education and culture

67. The *Satversme* provides that 'persons belonging to ethnic minorities have the right to preserve and develop their language and their ethnic and cultural identity'. Pursuant to the Law on the Unrestricted Development and Right to Cultural Autonomy of Latvia's Nationalities and Ethnic Groups, all Latvia's permanent residents are guaranteed the right to establish their national societies, unions and associations. The State has a duty to facilitate their activities and to provide financial support.

68. There are more than 150 ethnicities living in Latvia. National minorities and their culture is an integral and important component of Latvia's society and cultural space. Latvia's integration policy ensures protection of rights of persons belonging to national minorities and enjoyment of their culture, language and traditions.

69. In October 2011 the Guidelines on National Identity, Civil Society and Integration Policy (2012–2018) ("the Guidelines") were adopted. The Guidelines underline the importance of preserving of the individuality of national minorities. In 2014, the implementation of their Action Plan for the period until 2016 began. The Plan envisages promoting civic education, strengthening of its traditional and non-traditional forms, promoting social inclusion of marginalised groups, and to eliminating their discrimination.

70. One of the tasks included in the Guidelines on the Development of Education in Latvia (2014–2020) is promotion of development of multilingual personality both, by learning foreign languages and facilitating learning of the native language and the State language. Latvia has the second highest multilingualism indicator in the EU.

71. The Government provides state-funded national minority education programmes in seven minority languages: Russian, Polish, Belarusian, Ukrainian, Estonian, Lithuanian, and Hebrew. During school year 2014/2015, the State provided funding to 109 educational institutions that implement minority educational programs (among them, 99 schools implement education programs in Russian and bilingually, 4 – in Polish and bilingually, 1 – in Ukrainian and bilingually, 2 – in Hebrew, 1 – in Latvian and Lithuanian, and 1 – in

Latvian and Estonian) and 75 schools that have both Latvian and minority language programmes.

72. Professional development programs on bilingual education as well as training for the Latvian language teachers from schools which are implementing national minority education programs, are regularly organized.[28]

73. When implementing the Guidelines, particular attention is paid to children and youth. In total, 17,344 pupils – 55% Latvians and 45% persons belonging to national minorities have been involved in the organized projects as the direct target group. In the framework of these projects educational measures were implemented that improved the knowledge of Latvian and minority culture and history. In addition, camps, workshops, cultural and sports events and other activities took place.

Decision-making

74. The Government ensures the involvement of minorities in policy-planning and decision-making process. There are a number of consultative and supervising bodies[29], where the interests of national minorities are represented.

75. The collaboration of the Ministry of Culture and the Consultative Council on National Minorities has resulted in the following programs and projects in 2014: the NGO support program of the Ministry of Culture, creative camps, project for students "Traces of Europe in Latvia", training program "Ambassadors of Culture", and Forum of National Minorities.

76. The Forum of National Minorities was first organized in 2013. On 14 November 2014, second forum "Polyphony. Listening and Creating Together: National Minorities in Latvia" took place. The event focused on minority participation, career issues of youth of different nationalities, quality of minority education programs and mass media.

State language

77. Basic principles of the State language policy, which are enshrined in legal acts and included in the Guidelines on the State Language Policy (2005-2014), are to preserve, protect, and develop the Latvian language as the State language and simultaneously to guarantee the rights to use minority languages. Latvia respects the variety of languages and cultures of all inhabitants and ensures preservation and development of national minority languages.

78. One of priorities of the Government is providing of free language courses, including by attracting additional financial resources. The Guidelines also provide for events that popularize the Latvian language (policy principle "National Identity: Language and Cultural Space"). The State language policy aims to ensure that learning of the Latvian language is accessible, and to improve the Latvian language skills of persons belonging to national minorities, Latvians who reside abroad and new immigrants.

79. The Latvian Language Agency ("LLA"), the SIF and the State Employment Agency organize free language training funded from the State budget (see paragraph 14). In 2012–2014 the Ministry of Education and Science has improved the Latvian language proficiency of 574 teachers of pre-school educational institutions.[30] Measures for improvement of professional competence of teachers of pre-schools and primary schools are organised regularly, and they also involve upgrading of the Latvian language skills of educators of minority educational institutions. These are CLIL[31] methodology courses for bilingual education teachers in form of distance learning, master classes, tutorials and seminars for pre-school teachers, and 36-hour course "Bilingual Educational Process in a Pre-School".

Between 2012 and 2014, 1945 educators have attended such events in the LLA, and it is planned to support 1041 educators in 2015.

80. To ensure accessibility of the Latvian language training for different target groups, the LLA has created portal http://maciunmacies.valoda.lv. This resource offers a wide range of free learning materials that can be used both by educators for teaching of the language and by persons who want to master the language, including third-countries nationals. In addition, language-teaching aids with interactive games for children are published in the homepage.

81. In his comments on the draft report, the Ombudsman pointed out that the Ombudsman's research "Bilingual Education" (2014) explored the self-evaluation of the State language proficiency by students of national minority education programmes. According to the research, 50% of students answered that their State language proficiency is good, 33% evaluated it as "not good, not bad" while 11% of students have specified that their State language proficiency is very good. Only 5% pointed out that their language proficiency is bad and 1% – very bad.

82. The Ombudsman noted that the research revealed a correlation between language proficiency and motivation. 15.5% of students have a positive attitude towards the need and the use of the State language proficiency, have good language proficiency, and have good self-evaluation and positive attitude towards learning in the State language. Whereas 13.85% of students understand lessons in the State language without any difficulties, their self-evaluation of language proficiency is good but they still do not want to study in the State language. There may be various causes: protest, family opinion, impact of political rhetoric, or mass media.

83. In its comments on the draft report, the Resource Centre "ZELDA" emphasized that still no program of the Latvian language training identifies persons with intellectual disability as a target group.

Integration of Roma

84. Pursuant to the OCMA data of 1 January 2015, 7883 Roma are registered in Latvia; 94.4% of them are citizens of Latvia. In 2011, package of national policy measures for integration of Roma pursuant to the EU Framework for National Roma Integration Strategies until 2020 was elaborated. The package is included in the Guidelines. Particular attention is paid to education of Roma children by developing practice of Roma teachers' assistants in pre-school and general education institution and providing teachers with educational and informative materials about the Roma culture.

85. In 2012, Advisory council for implementation of Roma integration policy was established.[32] To ensure regular exchange of information and experience between local government specialists in Roma integration and to strengthen cooperation between the Ministry of Culture, local government institutions and Roma community for more efficient implementation of the Roma integration policy, the Network of Regional Experts in Roma Integration was established in 2014.

86. To promote integration of Roma students in the education system, separate classes for the Roma students are not organized since school year 2013/2014.

87. In the framework of an open project competition, the Ministry of Culture provides regular State-funding for implementation of integration initiatives proposed by Roma NGOs.

2. Citizenship and naturalisation (91.46–91.49; 93.40; 93.42–93.44)

88. Following the restoration of Latvia's independence, based on the principle of legal continuity, on 15 October 1991, the Supreme Council adopted a decision on restoration of citizenship to those Latvia's residents who possessed Latvia's citizenship prior to the Latvia's occupation on 17 June 1940, and to their descendants, irrespective of their ethnicity. Based on this principle, a new Law on Citizenship was adopted in 1994. The Law on Citizenship was amended by referendum in 1998, simplifying procedure for the acquisition of citizenship by naturalization.

89. In parallel to the status of Latvian citizen, the status of a non-citizen[33] was created in 1995, as a special temporary status for former USSR citizens and their descendants living in the Republic of Latvia who do not have citizenship of Latvia or any other state.[34]

90. Latvia continues implementation of consistent policy in the field of society integration and promotion of naturalisation both, by inviting non-citizens to apply for naturalization and by adopting legal acts for further facilitation of the naturalization process (for example, the Amendments to the Citizenship Law referred to in paragraph 19), and implementing informative campaigns. The Guidelines envisage facilitation of more rapid naturalization by using for non-traditional collaboration forms and awareness-raising.

91. The naturalization process has been repeatedly simplified in accordance with the international standards – the structure and content of naturalization exams has been customised to the actual language use in everyday life. Accessibility of the naturalization process has been extended, for example, the naturalization application can be submitted in any of 30 OCMA divisions, the naturalization fee for persons with low income, unemployed persons, pensioners and persons from socially vulnerable groups has been reduced, and it has been cancelled for politically prosecuted persons and disabled persons, orphans and persons from social care institutions. The Amendments to the Citizenship Law in 2013 has simplified the procedure for granting citizenship.

92. The OCMA regularly organizes informative days about naturalization possibilities and conditions. Informative materials about the naturalization procedure to support the preparation process have been published. In cooperation with language training institutions and NGOs, in the framework of projects of the European Fund for the Integration of Third-country Nationals and the SIF training of non-citizens is organized in order to prepare them for naturalization examinations.

93. An interactive guide-consultant[35] on acquisition of Latvian citizenship was elaborated in 2013 within the project of the European Fund for the Integration of Third-country nationals. In addition presentation materials about issues related to naturalization process were elaborated and published in the OCMA homepage" and a brochure "The Road to Latvian Citizenship" in Latvian, Russian, and English was published.

3. Rights of foreigners, refugees and asylum seekers (91.51–91.54; 92.16–92.17)

94. The increase of the number of asylum seekers in 2011 stressed the need to facilitate the inter-institutional cooperation, to strengthen the capacity of Latvia's asylum system and to raise the issue of Latvia's ability to ensure social guarantees provided in legal acts for asylum seekers, refugees and beneficiaries of subsidiary protection status.[36]

95. On 24 October 2013, amendments to the Asylum Law were adopted with the aim to improve the asylum procedure, to ensure its efficiency in situation when the number of asylum seekers has increased considerably, and to transpose the asylum requirements provided for in the EU legislation. Pursuant to the amendments, expenses required for the State language learning are covered for beneficiaries of subsidiary protection status. Amendments supplement the Law with provision that asylum seekers can be

accommodated outside of the asylum seekers' accommodation centre if its capacity has been exceeded, specifies the regulation related to detention of asylum seekers, and optimizes decision-making terms.[37]

96. Pursuant to amendments to the Immigration Law that entered into force on 1 January 2014, an asylum seeker who has not received a decision of the OCMA to grant the status of a refugee or alternative status or to refuse to grant it within nine months after filing a request for granting the status of a refugee or alternative status, and it has not happened due to his or her fault, are granted the right to employment without any restrictions until the final decision on the status of a refugee or alternative status has entered into force and is no longer appealable.

97. The amendments to the Immigration Law of 1 September 2014 included several improved conditions for third-countries nationals in the field of employment by providing for introduction of a single residence and work permit.

98. To improve the asylum procedure by providing unified registration and records of asylum seekers, on 1 July 2014 the CM adopted Regulation no.356 "Register of Asylum Seekers". Pursuant to the Regulation, the Register will provide the officials of the OCMA and the State Border Guard involved in the asylum procedure with unified access to information. In 2014, 30 officials of the State Border Guard were trained on data entering in the Register.[38]

99. In 2013, the elaboration of the new Immigration Concept was started and it is planned to adopt the document in 2015. In order to facilitate active engagement of Latvia's society in the integration process, on 7–8 June 2014, Citizens' Debates on Immigration were organized in Riga, where proposals on how Latvia should cope with immigration and on how to maximize benefits of immigration were developed. These proposals will be taken into consideration when drawing up the Immigration Concept.

100. Housing conditions in the State Border Guard premises for asylum seekers accommodation are continuously improved. On 2 April 2013, the CM supported establishing of new adjusted centre for accommodating of detained foreigners in order to improve the reception conditions of asylum seekers.

101. Latvia provides minors-asylum seekers with possibility to acquire education, including acquiring basic and general secondary education, continuing of commenced general education for persons after the age of 18 years, individual classes for mastering specific subjects, mastering the Latvian language and the native language if children of asylum seekers learn in educational institutions that implement minority education programs, and financial support for purchase of textbooks.

102. In the framework of the European Refugee Fund program for 2012 and 2013, on 1 July 2013, the State Border Guard launched the project "Building of the State Border Guard Capacity" which was concluded on 30 June 2015. In the project the facilities for work with asylum seekers were improved and asylum seekers were provided with material-social and medical assistance.

103. Latvia continues cooperation with the Office of the UN High Commissioner for Refugees. In 2011, the Memorandum of Understanding was signed between the State Border Guard and the Office's Regional Representation for Northern Europe, which provides for strengthening of the cooperation between both institutions.

104. Great attention is paid to the training and professional development of the State Border Guard staff, for example, to improvement of interviewing methods and foreign languages' proficiency.

105. The Government and NGOS working in the field have regularly implemented various projects, organised discussions and public awareness raising campaigns[39] to facilitate the understanding about rights of foreigners, refugees and asylum seekers.

E. Protection of persons with disabilities (91.12–91.13; 91.44)

106. On 1 January 2013, amendments to the Civil Law, the Civil Procedure Law, and the Law on Orphan's Courts entered into force that abolished the complete removal of the capacity to act by substituting it with institution of restricted capacity to act.[40]

107. The future authorisation is an alternative legal framework where a court does not need to restrict the capacity to act for a person; it is enshrined in the Civil Law and entered into force on 1 January 2013.[41]

108. On 27 October 2013, amendments to Article 11 of the Criminal Procedure Law entered into force providing that the right to use the language the person understands during the criminal proceedings and to use the assistance of an interpreter free of charge should also apply to persons with hearing, speech or visual impairments. In issuing procedural documents to such persons in the cases provided for by the law, the availability of such documents must be ensured in the language or the manner which such persons are able to perceive.

109. On 20 May 2014, the CM Regulation no.252 "Procedure for Police in Establishing if A Child has Special Needs, Inviting of a Competent Specialist, and Providing Conditions for Addressing of Child's Special Needs" was issued.

110. Latvia has worked constantly to promote a system of integrated and well-coordinated work of competent institutions in ensuring the rights of persons with disabilities, including the establishing of inclusive education system and facilitating environmental access and participation in social projects. Since 2011 several services,[42] including psychological services, services of assistant and sign language interpretation both for children and adults, have been introduced with the aim to reduce disability consequences and promote the access to services and daily activities.

111. Currently there are several ongoing projects[43] aimed at supporting increased mobility of persons with disability and their family members.

112. Amount of programmes and movies with subtitles and interpretations into sign language has increased gradually by publishing the accessible content on the home page of Latvian Television. The home page of the Latvian Radio offers the transcripts of the most current and popular broadcasts for persons with hearing disability. Special attention has been paid to the promotion of public awareness about disability issues by integrating themes related to rights and needs of persons with disabilities into content of Latvian Television and Latvian Radio broadcasts.

113. Since 1 July 2014, Latvia has introduced several new or increased several the existing allowances intended to support the persons with disabilities and improve their material status.[44]

114. On 22 May 2014, the Education Development Guidelines (2014–2020) were approved with the overarching objective to guarantee quality and inclusive education for personality development, increase of welfare and sustainable growth by providing for implementation of the principle of inclusive education and reducing the risk of the social exclusion. In his comments on the draft report, the Ombudsman emphasized the need to improve practical implementation of the principle of inclusive education.

115. In its comments on the draft report, the Resource Centre "ZELDA" pointed to shortcomings in court practice regarding the establishment of restrictions to the capacity to act, and invited to review and supplement the legal framework to offer alternative mechanisms for restrictions to the capacity to act and to abolish the concept of substituted capacity to decide. The Resource Centre "ZELDA" emphasized the need to improve practical implementation of the principle of inclusive education, including facilitation of possibilities of persons with disabilities to learn in schools of general education, and pointed to shortcomings in social services offered by local governments, especially to persons with mental disorders.

F. Promotion of gender equality (91.18–93.22)

116. Latvia's gender equality policy is implemented by an integrated approach, which means that principles of gender equality are taken into consideration at all stages of policy-planning, including in drafting of legislative acts and preparing and implementing of policy planning documents. Principles of equality and prohibition of unequal treatment are enshrined in the main legal acts.[45]

117. The Concept Paper on Gender Equality (2001) forms the framework of gender equality policy in Latvia. On its basis several policy-planning documents have been prepared, including the Gender Equality Action Plan (2012–2014).[46]

118. On 12 May 2015, the Guidelines on Inclusive Employment (2015–2020) were adopted.[47] The key aims of the Guidelines are establishment of inclusive and balanced labour market and employment-enabling environment.

119. Latvia's gender equality policy is elaborated in close cooperation with NGOs. The Gender Equality Committee, the coordinating institution in the field of gender equality, facilitates cooperation among ministries, NGOs, social partners, municipalities, and other parties.

120. Targeted measures have been implemented to promote the reconciliation of work and family life.[48] Particular attention has been paid to activities aimed at active participation of fathers of new-borns in their care, thereby strengthening family relationships. A number of paternity leaves has increased: in 2004, they were used by 22% of fathers, while in 2014 – 45%, indicating the increasing participation of fathers in child care.

121. In 2013–2014, the project "Gender Equality in Economic Decision Making – Tool to Promote Economic Competitiveness and Equality Value" was implemented under the leadership of the SIF. In its framework a public awareness raising campaign were organized, which highlighted the principles of equality with regard to equal pay, choice of profession and career prospects. In addition, the Sustainable Development Index was improved by emphasizing the role of gender equality in entrepreneurship and the most successful enterprises in this regard were rewarded.

122. Since 2009, the Investment and Development Agency of Latvia implements the Mentoring Program, *inter alia*, to promote women's entrepreneurship. Since the launch of the program, 15 projects have been implemented in which 524 persons participated: 240 mentors (76.7% women, 23.3% men), 284 mentees (70.8% women, 29.2% men).

123. In his comments on the draft report, the Ombudsman pointed out that his Office regularly deals with cases concerning violations of the prohibition of discrimination on the grounds of sex in employment relations because an employer has not respected the rights of new mothers in accordance with the legal framework of the EU and Latvia. In 2012, the Office surveyed mothers and employers to research the actual situation at a time when women return to work after maternity or parental leave. The survey led to the conclusion

that in most cases when mothers face discriminatory attitude, they choose not to report to the Office or apply to the court because they are afraid to get a reputation of a "complainer" thus making it difficult to find a new job in the future. Also, not all employers are aware of the rights of mothers, as well as mothers do not always know how to protect their rights.

G. Elimination of domestic violence (91.32–91.34; 91.43; 92.11–92.12)

124. The understanding of the concept of domestic violence in the criminal justice system stems from Article 48(1)15) of the CL which provides for aggravating circumstance.[49] In accordance with the Article, in case that a crime related to violence or threats of violence (such as rape, sexual assault, bodily harm) have been committed, a court, when determining a punishment, must take into consideration the aggravating circumstance.

125. On 14 June 2014, amendments to the CL in relation to criminal offences against morality and sexual inviolability of a person entered into force.[50] Pursuant to the CL, the criminal liability is provided for rape committed by a spouse, namely, such offence are qualified pursuant to the relevant part of Article 159 of the Criminal Law, while the situation referred to in Article 48(1)15) of the CL can be recognised as an aggravating circumstance that is taken into consideration in determining a punishment.

126. The legal framework has also been supplemented with a norm which provides that if the spouses have lived separately for less than three years, the marriage may be dissolved by a court if the reason for breaking down of a marriage is physical, sexual, psychological or economical violation of the spouse against the other spouse who has requested the dissolution of the marriage, or against his or her child or joint child of the spouses.

127. In 2013, the Concept of Preventive Coercive Measures was elaborated, which established a new multifunctional instrument for early delinquency prevention. It aims to achieve a long-term reduction of number and recurrence level of violence cases, including domestic violence-related offences. Currently, Latvia actively works on implementation of the Concept.

128. On 31 March 2014, complex amendments to the legislation entered into force providing for the right for a person suffering from violence or stalking to ask a court on his or her own initiative or with the intermediation of the police, to take appropriate protection measures against the perpetrator within civil proceeding. The police has the right (on the basis of a written application), in case when there is immediate threat that a person who resides in a housing unit or nearby may cause harm to freedom or health of other persons that reside there, to decide to oblige the respective person to leave the housing unit without returning and to prohibit to stay there or nearby (the police decision on separation) for a period of up to eight days.[51]

129. Latvia continues to improve the legal framework in order to join the Council of Europe Convention on preventing and combating violence against women and domestic violence. It is expected that Latvia will be able to ratify the Convention in 2018. Inter alia, since 11 January 2015, a simple and rapid process is provided for recognition of protection measures in civil matters among EU member states.[52]

130. Measures for elimination and reduction of domestic violence are set out in the State Family Policy Guidelines (2011–2017) and their Action Plan (2012–2014).

131. Since 2011, social rehabilitation of children who have suffered from domestic violence is funded from State budget. On 23 December 2014, the CM supported the introduction of state funded social rehabilitation services for adult victims of violence, and perpetrators of violence[53], starting 2015. Persons may seek the assistance at crisis centre, family support centre or any other social rehabilitation institution that provides support to

victims, and municipal social service. Consultations of lawyers, psychologists, social workers are offered and, if necessary, expenses of the person's and his or her children's accommodation are covered.

132. On 22 May 2014, the Ministry of Welfare in cooperation with other partners,[54] organized an international conference "Prevention, Protection and Response to Violence against Women: from Legal Acts to their Effective Implementation". 150 experts from different fields participated in the conference. In December 2014, the Resource Centre for Women "Marta", in cooperation with the Ministry of Welfare, the State Police and the Latvian Association of Rural General Practitioners, organized expert training seminars on cases of domestic violence. In total, there were 70 participants.[55] During seminars practical skills of experts working with women who have suffered from violence were analysed. It was concluded that education of experts requires more attention.

133. On 29 May 2014, line ministries, in cooperation with the Embassy of the United States, organized a conference "Coordinated Institutional Response to Domestic Violence" aimed at sharing of good practices. The event focused on such topics as liability of offenders and consequences of offence, dynamics and types of domestic violence, and application of temporary protection measures. Representatives of the State Police, municipal police and social services as well as judges participated in the event.

H. Protection of the rights of the child (91.9–91.11; 91.45; 92.14; 92.17; 93.21)

134. The system for the protection of children's rights is regulated by the Law on the Protection of the Rights of the Child. This Law was amended in 2013 and 2014 listing the categories of specialists who need training in the field of the protection of children's rights.

135. To ensure compliance of national legal acts with the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse and to introduce the Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, amendments in number of legal acts have been made.[56]

136. On 21 August 2013, the CM approved the Guidelines on the prevention of juvenile crime and the protection of children against criminal offenses (2013–2019). Their aim is to prevent juvenile crime, to eliminate factors that facilitate criminal conduct, and to improve the safety of children by protecting them against threats to their health and life.

137. On 2 January 2013, the Program for Improving the Situation of Children and Family for 2013 was approved, which was followed by approval of such program also for 2014. These programs aim to improve the situation of children and family and to implement targeted measures in the field of protection of children's rights.

138. The capacity of the main institution in the field – the State Inspectorate for Protection of Children's Rights under the Ministry of Welfare – is constantly reinforced by organizing training of inspectors, providing additional staff and by improving information and communications technologies. In 2013, a new function was assigned to the Inspectorate – supervision of baby-sitting services.

139. The Government consistently allocates funds for strengthening of the child right protection system. For measures of the annual Program for Improving the Situation of Children and Family, the Government allocated 262 518 EUR in 2014. In addition, Latvia increases financial support for families with children.[57]

140. Since 2013 the CM has established the minimal amount of maintenance payments that must be provided to a child by each parent – in amount of at least 25% from the minimal monthly wage determined in the State. This obligation does not cease if the child is separated from his or her family or does not reside with one or both of his or her parents. If any parent does not provide maintenance of the child, the maintenance payments are paid by the State via the Maintenance Guarantee Fund which, in its turn, levies the debt from the respective parent on behalf of the State.

141. The Prosecutors' office continues its efforts and initiates criminal proceedings and brings to the courts cases about criminal offences against minors.[58]

142. Latvia promotes experts' and public awareness about various issues related to protection of children's rights by organizing training of specialists, educational events for parents and social campaigns. For example, training for prosecutors is regularly organized. In 2011–2014, 178 prosecutors participated in training.

I. Human rights violations in places of imprisonment (91.26)

143. The Internal Security Office of the State Police examines complaints about breaches of law by employees of the State Police.[59] In cooperation with NGOs, informative section in Latvian and English on the procedure for submitting a complaint is created on the home page of the State Police.

144. When the Prison Administration receives information about possible ill-treatment of an inmate (violence by prison officials or violence among inmates), it conducts internal examination. Afterwards, decision on initiation of or refusal to initiate criminal proceedings is taken, and the person that had provided the initial information is informed about the decision in accordance with the procedure prescribed by law, as well as explained the procedure for the appeal against the decision. Prosecutor's office supervises the pre-trial investigation of criminal proceedings of the Prison Administration, thus ensuring objective and efficient pre-trial (see also paragraph 21 on the Internal Security Office).

145. In 2014, on one occasion criminal proceeding were initiated about intentional acts of a public official that manifestly exceed the rights and authority granted to the official by law or pursuant to his or her assigned duties if such acts are related to violence or threatened violence or have been committed because of greed. The criminal proceedings were terminated. In 2014, four criminal proceedings in the group of criminal offence envisaged in Chapter XXIV of the CL (criminal offences committed in State authority service) were initiated; two criminal proceedings were terminated and two criminal proceedings are still under investigation.

J. Improvement of conditions in places of imprisonment (91.27–91.31)

146. On 1 April 2013, amendments to the CL entered into force introducing conceptual modifications in Latvia's system of criminal penalties. These amendments have increased considerably the possibilities for applying alternative penalties to deprivation of liberty by raising the proportion of fines and community service, thus reducing application of the penalty of deprivation of liberty. In the same way, the amendments reduced maximum and minimum limits of penalties, especially in relation to property crimes.

147. On 1 February 2015, amendments to several laws[60] entered into force by providing for electronic monitoring as a measure of intense control established by a court in case of conditional early release from serving the punishment. Thereby, a conditional early release

from serving the punishment can be applied sooner than it is currently provided for in legal acts. Application of the respective norm was commenced on 1 July 2015.

148. On 18 June 2015, amendments to the Law on the Sentence Execution Code of Latvia were adopted stating that the living space for one inmate cannot be less than four square meters, but in solitary cells –less than nine square meters; and to the Law on the Procedures for Holding under Arrest providing that the living space for one detainee cannot be less than four square metres.

149. On 14 November 2011, amendments to the Law on the Procedures for Holding under Arrest entered into force stating that in all short-term detention centres the sanitary facilities must be separated from the rest of the room in order to protect privacy.[61]

150. In 2011–2015, the number of imprisoned persons has reduced by approximately 30%. The reduction of the number of inmates during recent years was influenced by considerable amendments to legal acts, including amendments to the CL that entered into force on 1 April 2013 (see paragraph 146 above).

151. Every year Latvia takes measures[62] to improve of conditions of detention for inmates, including by renovating premises, and to train the staff of detention centres.

152. In 2013–2014, a comprehensive audit was conducted with the aim to collect information about conditions in Latvia's places of imprisonment and to develop proposals for improvement of such conditions. As a result, the Prison Administration was given a task to ensure the accommodation of inmates in compliance with international standards regulating the residential area (not less than 4 square meters for one imprisoned person), which was completed on 31 January 2015[63].

K. Combating of trafficking in human beings (91.35–91.43)

153. On 29 October 2014, amendments to Article 154[2] of the CL, "Human Trafficking Definition," entered into force supplementing it with an additional mean – abuse of vulnerability, meaning circumstances when a person does not have an actual or acceptable alternative, except to submit to exploitation.

154. On 1 April 2013, amendments to the CL entered into force supplementing the definition of human trafficking with a new form of exploitation – compulsion of a person to commit criminal offences, and providing for twenty years of statutory limitation period for a serious crime or especially serious crime if the crime was committed against morality and sexual inviolability of a minor. In addition, amendments entered into force providing for possibility to release a person from criminal liability if he or she has committed a criminal offence during a period when he or she was subjected to human trafficking and was forced to commit it. Furthermore the Criminal Procedure Law was supplemented with a provision that minors, who are victims of human trafficking, if necessary, may be interrogated with the intermediation of a psychologist or via a video conference.

155. On 21 January 2014, the CM approved the Guidelines on Elimination of Trafficking in Human Beings (2014–2020) developed by the Ministry of Interior. The guidelines include tasks and measures for ensuring the sustainable, planned and coordinated national policy on elimination of human trafficking. In the drafting process of the Guidelines, involvement of non-governmental sector was ensured, and the document will be implemented in close cooperation with the NGOs.[64]

156. In order to coordinate and implement the national policy on the combating of human trafficking, an inter-institutional working group established in 2010 continues its work involving representatives from line ministries, law enforcement agencies, State and municipal institutions, NGOs, and public partners. Its work has resulted in organization of a

number of awareness raising campaigns and trainings, allocation of funds for several international projects initiated by Latvia, development of a number of legislative initiatives, strengthening of cooperation among various partners and facilitation of a common understanding on key challenges in the field.

157. Law enforcement institutions work actively to combat criminal offences related to living on the avails of prostitution (Article 165 of the CL) and sending a person with his or her consent for sexual exploitation (Article 165[1] of the CL).[65]

158. Expert training on combating human trafficking takes place regularly.

159. On 28–30 April 2014, in the framework of the project "A Safety Compass – Signposting Ways to Escape Trafficking" co-financed by the European Commission, help-line operators were trained on the prevention of human trafficking.

160. In December 2014, the Ministry of Welfare started to develop methodological recommendations for more successful reintegration of victims of human trafficking after receiving of services. It is envisaged that the recommendations will be used by social workers in municipalities. In addition in August 2014, the Ministry in cooperation with the State Inspectorate for Protection of Children's Rights published informative material[66] about support services available to victims of human trafficking.

161. The Government in cooperation with NGOs has implemented large-scale public awareness-raising campaigns on the risks of human trafficking. Since 2013, the society "Shelter "Safe House"" in their campaigns uses an informative trailer, which is interactive tool that educates using group work and special classes for children, youth, adults and professionals. The trailer represents a symbolic environment that depicts household conditions of victims of human trafficking. In 2014, in the European Crime Prevention Awards ceremony, this project was acknowledged as one of 20 best projects in Europe.

162. In October 2014, in cooperation with the International Network of Ombudspersons and the society "Shelter "Safe House"", the Ombudsman's Office organized campaign "Tasty bite". Its aim was to change the assumption that only adults can become victims of human trafficking.

L. Combating of fictitious marriages (92.13)

163. On 13 December 2012, amendments to the CL were adopted establishing criminal liability for provision in bad faith with a possibility to acquire the right to stay in Latvia, other EU Member State, Member State of the European Economic Area or Swiss Confederation. Since this provision entered into force, the State Police has initiated 29 criminal proceedings on fictitious marriages concluded between EU citizens and third-country nationals to obtain residence permits in the EU.

164. In order to tackle the problem of fictitious marriages in Latvia and Europe the Ministry of the Interior launched a project HESTIA "Preventing human trafficking and sham marriages: A multidisciplinary solution", which is co-financed by the Prevention of and Fight against Crime Programme of the EU. Project activities form a set of measures aimed at raising awareness and initiating a comprehensive action to prevent this form of human trafficking.[67]

165. The society "Shelter "Safe House" significantly contributes to public awareness-raising on the risks of fictitious marriages, for example from August 2012 to February 2013 informative campaign "The Sold Freedom" was organized.

Notes

[1] At that moment, 17 supported recommendations were already implemented or were in the process of implementation.

[2] The working group consisted of representatives from the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Education and Science, the Ministry of Culture, the Ministry of Welfare, the Ministry of Justice, the Ministry of Health, the Ministry of Environmental Protection and Regional Development as well as the General Prosecutor's Office and the State Police.

[3] The report was reviewed and approved by the Cabinet of Ministers ("CM") on 15 September 2015.

[4] Data source: the Register of Enterprises of the Republic of Latvia.

[5] Including psycho-social assistance, including consultations of lawyer or social worker; translator's services; assistance in preparation of legal documents; and, if necessary, representation before court.

[6] State funding for social rehabilitation for victims of human trafficking has been increased considerably - in 2011 –41,250 EUR, in 2012 –87,794 EUR, in 2013 –93,384 EUR, in 2014 – 159,378 EUR.

[7] The plan, inter alia, aims to reduce perinatal mortality and maternal mortality by planned and coordinated measures in three areas: improvement of maternal and child health, treatment of infertility, and cross-sectoral cooperation.

[8] Statistical data about citizenship issues.

Registering of the status of citizen of Latvia

Applications	*2011*	*2012*	*2013*	*2014*
Number of applications	No data available	No data available	No data available	8314
Status of citizen was registered (persons)	5014	5250	5335	7685

Source: Office of Citizenship and Migration Affiars

Recognition of a child as a Latvian citizen

	2011	*2012*	*2013*	*2014*
Number of applications	No data available	No data available	704	631
Number of children recognized as a citizen of Latvia	576	741	637	616

Source: Office of Citizenship and Migration Affairs

Number of naturalization applications

Year	*Number of naturalization applications*	*Admitted to Latvian citizenship*	*Incl. their minor children*	*Third-country nationals admitted to citizenship*
2011	2771	2467	135	98
2012	2121	2213	125	81
2013	1939	1732	117	98
2014	1147	939	70	87

Source: Office of Citizenship and Migration Affairs

Number of children of non-citizens born in Latvia after 21 August 1991 with right to receive the citizenship of Latvia

Year	*Amount of children of non-citizens*
2011	11,300
2012	9,676
2013	8,989
2014	7,846

Source: Office of Citizenship and Migration Affairs

Number and proportion of children of citizens and non-citizens who were born in 2011–2014

Year of birth	*Amount of citizens*	*Citizens (%)*	*Amount of non-citizens*	*Non-citizens (%)*
2011	17,919	97.34	397	2.16
2012	19,032	98.03	260	1.34
2013	19,881	99.07	186	0.93
2014	21,293	99.61	83	0.39

Source: Office of Citizenship and Migration Affairs

Number of children of non-citizens to whom the citizenship of Latvia has been granted

	Amount of children in age under 15			*Amount of children in age from 15 to 18*	
Year	*Recognized as citizens of Latvia*	*The citizenship is acquired by naturalization of a parent*	*The citizenship is acquired by registering the status of citizen of Latvia to a parent*	*The citizenship is acquired under the naturalization procedure*	*The citizenship is acquired under the registering procedure*
2011	637				
2012	718	628	154	339	654
2013	640				
2014	616				
Total number of children in age below 15 who have obtained the citizenship		4,258			
Total number of children in age below 18 who have obtained the citizenship			5,251		

Source: Office of Citizenship and Migration Affairs

[9] The project is implemented by institutions and NGO's of Latvia, Lithuania, Estonia, Finland, Slovakia, Ireland. Project activities include national and regional discussions in five countries, preparation of the report, experts' training, and informative activities.

[10] It is expected that the new institution will conduct the pre-trial investigation in relation to all criminal offences committed by officials and employees of institutions subordinated to the Ministry of Interior (except officials and employees of the Security Police) as well as criminal offences committed by officials of the Prison Administration, municipal police and employees of the Port Police, if they are related to violence.

[11] The individual applications addressed a wide range of issues, including conditions in prisons and detention centres, right to access to court, prohibition of discrimination in the field of employment.

[12] In 2012 the support provided by the Government to the Ombudsman's Office was increased to 952,171 EUR, in 2013 – 952,939 EUR, and in 2014 – 1,126,296 EUR.

[13] Between 2011 and 2015, the Ombudsman's Office prepared reports on the following topics: the rights of children, the rights to obtain free basic and general education and providing of such rights in educational institutions established by local governments; risk of poverty in Latvia; national social care centres; the rights for providing fair trial in court sittings using video conference; the quality of housings offered in scope of local governments' help; bilingual education; utilization of EU financial instruments and national budget funds for integration of Roma.

[14] In 2013, the UN Committee against Torture examined the periodic report of Latvia on the implementation of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, whereas in 2014 the UN Human Rights Committee examined the periodic report of Latvia on the implementation of the 1966 International Covenant on Civil and Political Rights. In January 2016, the UN Committee on the Rights of the Child will examine the periodic report of Latvia on the implementation of the 1989 Convention on the Rights of the Child and initial reports about implementation of two Optional Protocols of the Convention – on the fight against the involvement of children in armed conflict and on the fight against the sale of children, child prostitution and child pornography.

[15] The amendments have been adopted to ensure consistency with Article 78 and Article 150 of the CL, which provide for criminal liability for inciting to racial, ethnic, national, social hatred and enmity.

[16] Educational and informative events have been organized, training workshops for employees of public administration and local government institutions, employers, journalists, and specialists of different professions have been arranged, educational activities for different social groups about third-countries nationals and their integration have been implemented, NGOs' projects including Roma have been supported in order to provide them with comprehensive access to services and participation in development of the civil society.

[17] For the first time such conference was organized in 2012.

[18] Computer-skills training for seniors and socially isolated persons in the regions of Latvia (6680 seniors participated in the training), a research about obstacles for employment of persons in pre-pension age was conducted; the senior-friendliest undertaking was identified; and awareness raising measures were organized in regions of Latvia.

[19] Very wide range of activities was implemented during the project, including establishing cooperation network among public administration institutions and NGOs, preparing guidelines for development of effective monitoring system of anti-discrimination policies, carrying out public awareness raising activities and implementing measures aimed at Roma integration with a focus on education.

[20] Overall, approximately 50 events were held including conferences, seminars, discussions, and exhibitions.

[21] In their courses such issues as the prohibition to torture and other cruel, inhuman or degrading treatment or punishment, prevention of human trafficking, psychological and legal aspects of police conduct in cases of sexual violence, domestic violence are discussed.

[22] For example, in 2015, training on the application of human rights in criminal and administrative procedure, rights of the child and other issues was offered to judges.

[23] The amendments were prepared considering conclusions and proposals included in the informative report "About legal framework in relation to liability for incitement of national or ethnic hatred, invitation to liquidate national independence or undermine the territorial integrity and desecration of State symbols" supported in the CM meeting of 17 June 2014.

[24] Number of criminal cases passed over to the court and accused persons brought to justice for committing of the criminal offence provided for in Section 78 of the Criminal Law (triggering of national, ethnic and racial hatred).

Completed cases by types of criminal offences	*Number of criminal offences passed over to court*				*Number of accused persons brought to justice*			
Year	*2011 July-Dec*	*2012*	*2013*	*2014*	*2011 July-Dec*	*2012*	*2013*	*2014*
Section 78 of the CL	1	4	14	7	1	6	14	7

Source: The Public Prosecutor's Office of the Republic of Latvia

[25] See Annex I.

[26] The report can be submitted to the State Police or the Security Police (in presence, by telephone, or in writing) or by using portals http://www.naidanoziegumi.lv (in Latvian) and http://cilvektiesibas.org.lv (in Latvian, Russian, and English). Information received by portals is handed over to the law enforcement agencies.

[27] During the project, 5 training cycles took place in total and the "Teachers' Guide" and brochure about identifying of hate crimes for the police were elaborated. In 2014, the second edition of the brochure was published.

[28] During the period from 2012 to 2014, in total 344 teachers of bilingual education participated in the professional development program provided by the Latvian Language Agency, and it has been planned that 168 teachers will participate in the training in 2015. In 2014, the National Centre for Education organized seminars and conferences for minority language teachers on improving pupil's reading skills at all levels of education; in total, approximately 420 teachers participated in these events.

[29] The Supervisory Council on the Implementation of the Guidelines on National Identity, Civil Society and Integration Policy; the Advisory Council for Implementation of Roma Integration Policy; the Minority NGO Committee (established as the Committee of National Minority Organisations' Representatives for the Monitoring of the Implementation of the Council of Europe Framework Convention for the Protection of National Minorities); the Advisory Council for Integration of Third-country Nationals. Also the President's Advisory Council on National Minorities and the Advisory Council on Minority Education Affairs under the Ministry of Education and Science.

[30] The Ministry has planned to provide such support to 160 educators in 2015.

[31] Content and Language Integrated Learning.

[32] Its aim is to promote Roma integration policy, to evaluate its implementation and to facilitate civic participation of Roma community.

[33] Latvia's non-citizens are not stateless persons within the meaning of the 1954 Convention relating to the Status of Stateless Persons, given the much wider scope of noncitizens' rights; in relation to such individuals Latvia has undertaken particular obligations – it guarantees *ex lege* residence in Latvia, consular protection abroad, as well as the right to return to Latvia and the right not to be expelled from Latvia. Non-citizens enjoy most of the rights guaranteed to Latvian citizens. Every non-citizen has the right to acquire Latvian citizenship through naturalization; and Latvia has provided all preconditions to motivate persons with non-citizen status to acquire Latvian citizenship and to have a possibility to do so.

[34] See Annex II.

[35] The guide is available in Latvian, Russian and English on web site http://celvedis.pmlp.gov.lv/lv/. The guide enables each interested person to find information about the ways of becoming a Latvian citizen, acquaints with procedures and documents required for acquiring of citizenship.

[36] See Annex III.

[37] The decision-making terms was optimized stipulating that the period for taking of decision on the acceptance of an application for examination or leaving it without examination is prolonged from 5 to 10 working days, while the period for taking of decision on the examination of an application under accelerated procedure is reduced from 10 to 5 days.

[38] In 2015, adoption of a new Asylum Law is envisaged with an aim to transpose into the national legislation the directives of the European Parliament and of the Council on common procedures for

granting and withdrawing international protection and on standards for the reception of applicants for international protection.

39 In 2014, the SIF continued the implementation of the project "National Integration Centre" that operates as a structure for supporting and promoting of third-countries nationals' integration – it serves as a one-stop agency for persons involved in the integration process.

- In December of 2013, the society "Shelter "Safe House"" with the support from the European Refugee Fund launched the project "Expanding of Integration Possibilities for Refugees, Beneficiaries of Alternative Status and Asylum Seekers" aimed at ensuring the basic needs of the target group by offering assistance of various specialists in solving problematic issues and providing material support.
- In the framework of the project courses of the Latvian language and everyday speech clubs are organized to promote inclusion of the project target group into society. Furthermore, 65 persons (including 20 children) have received consultations or social assistance, and informative materials about housing, work and education possibilities – "10 steps of Finding a Place to Live", "10 steps of Job Search" and "10 steps to Education" – have been prepared and are available electronically in English and Russian.
- In the framework of the project Diverse Solutions for Public Education and Integration implemented by the Centre for Public Policy PROVIDUS (19 December 2012 – 30 June 2013), the Centre established a website (http://dzivotlatvija.lv) on rights and opportunities of third-country nationals in Latvia. The portal also summarizes information about fictitious marriages.

40 Total restriction of capacity to act is no longer possible. The capacity to act for a person with mental or other health disorders may be restricted to the extent he or she cannot understand the meaning of his or her actions or cannot control them. Capacity to act of such a person may be restricted, if it is necessary in the interests of this person and it is the only way to protect him or her. In such case trusteeship is established for such person. When assessing the abilities of a person, the court must first determine whether and to what extent a trustee with a person under trusteeship act together and only after that – whether and to what extent the trustee acts independently. In addition, a person cannot be restricted in personal non-financial rights (for example, marriage) and in defending of his or her rights and lawful interests in institutions and court in relation to restrictions of his or her capacity to act and freedom, disagreements, disputes with trustee and appointment and removal of the trustee. The capacity to act can be restricted in specific areas of property rights only (for example, in financial issues and rights to administer his or her property).

41 By a future authorization an authorizing person instructs an authorized person to conduct his or her matters in case the authorizing person, due to health disorders or other reasons or condition, will not be able to understand the meaning of his or her action and will not be able to control his or her action.

42 Psychological services have been provided to children/youth in age up to 18 years with disability that is established for the first time (and to their legal representatives). In 2012, the service of assistant was introduced in educational institutions for children/youth in age between 5 and 18 years, thus strengthening the inclusive education and ensuring the needs of children in the process of education. If required, the services of sign language interpretation are provided for children with disabilities in acquiring of educational program. Since 2013, the service of assistant for up to 40 hours per week is available in local governments for persons with disabilities in order to help with certain outdoor activities; in addition, the service of sign language interpretation for up to 120 hours per year is provided to adults for communication with other natural and legal persons.

43 Pilot project on support persons are being elaborated with the aim of providing assistance to disabled persons with mental disorders in performing daily tasks where there is a need for assistance in communication with third parties (in shops, banks, health centres);

- The work continues on the service "A Moment of Rest" which is intended to promote parents' inclusion in socially economic life despite the fact that they care for a child with disabilities, and the service of assistant for children under the age of 5 to reduce to the maximum extent possible the exclusion risk both to the child with disabilities and his or her parents;
- Negotiations continue with higher education institutions in Latvia, the Students' Union, the Ministry of Education and Science, and NGOs about providing the service of assistant to persons

with disabilities in acquiring the higher education in order to ensure accessible and inclusive life-long education.

- The first stage of improving the system of establishing the disability has been concluded; this stage provides for transition to written process and the possibility for the person to participate more actively in the expert-examination for the establishment of disability;
- The concept of Social Entrepreneurship is developed with the aim of promoting socially responsible entrepreneurship.

[44] Allowance to persons with disability who need special care has been increased by 50%; the State social security benefit to persons with I disability group has been increased by 30%, to persons with II disability group – by 20%. In total, amount of allowances to persons with disabilities has been increased by 30%.

[45] To ensure gender-mainstreaming at all policy levels and sectors, each ministry and the State Chancellery has delegated an official who is responsible for promotion of gender equality principles in the respective sector.

[46] The Plan set four main lines of action and measures for their implementation: elimination of gender roles and stereotypes, promotion of healthy and environment-friendly lifestyle for women and men, promotion of economic independence and equal opportunities in labour market for women and men, and monitoring and evaluation of gender equality policy. To establish a further framework for gender equality policy, it is planned to elaborate the Guidelines on Equality between Women and Men (2016-2020) and to submit them to the CM by the end of 2015.

[47] This document addresses the labour market segregation and the lack of balanced representation of women and men in different sectors of the labour market that has an impact on formation of the pay gap.

[48] Measures have been implemented to promote the reconciliation of work and family informative and educational activities, improvement of child care services and introduction of flexible working hours and forms.

[49] Article 48(1)15) provides that the criminal offence related to violence or threats of violence, or the criminal offence against morality and sexual inviolability was committed against a person to whom the perpetrator is related in the first or the second degree of kinship, against the spouse or former spouse, or against a person with whom the perpetrator is or has been in unregistered marital relationship, or against a person with whom the perpetrator has a joint (single) household.

[50] Pursuant to the amendments, Article 159 of the Criminal Law provides for criminal liability for rape – an act of sexual intercourse taking advantage of the state of helplessness of a victim or an act of sexual intercourse against the will of the victim by means of violence, threats or using trust, authority or exerting other influence over the victim, for which the applicable punishment is deprivation of liberty for a term of four and up to ten years and with probationary supervision for a term up to three years. A more severe liability for rape is envisaged if serious consequences have been caused thereby. Furthermore, the aggravating circumstance must be taken into consideration in determining a punishment if the rape has been committed in the family, by a spouse.

[51] In 2014, 330 court decisions on temporary protection against violence and 100 police decisions on separation were taken. In period from 1 January to March 2015, 107 court decisions and 25 police decisions were made.

[52] Since 11 January 2015, a simple and rapid process is provided for recognition of protection measures in civil matters among EU member states in scope of Regulation (EU) no.606/2013 of the European Parliament and of the Council on mutual recognition of protection measures in civil matters. Currently, Latvia works to implement the Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime and providing for specially protected victim status and the rights of certain victims, including victims of domestic violence.

[53] The services are available to persons who have experienced physical, sexual, economic or emotional violence; threats of physical or sexual violence or violent control against themselves or their relatives; persons who have experienced psychological trauma or have been recognized as victims by law enforcement institutions or by a court or a judge decision on temporary protection or by the police decision on separation.

[54] The Ministry of Interior, the Ministry of Justice, and the Ministry of Health, in cooperation with the

non-governmental sector, the Embassy of Finland, and the British Embassy in Riga, and supported by the Regional Office for Europe of the World Health Organization.

[55] Participants included experts working in the social sector, psychologists, experts from orphans' courts, doctors, State and municipal police officers.

[56] Amendments to the Criminal Law, to the Law on State Compensation to Victims, to the Law on the Protection of the Rights of the Child, to the Social Services and Social Assistance Law, to the Criminal Procedure Law, to the Latvian Administrative Violations Code, to the Law on Pornography Restrictions, and to the Law On the Press and Other Mass Media.

[57] For measures of the annual Program for Improving the Situation of Children and Family, the Government allocated 263,819 EUR in 2011; 220,342 EUR in 2012; 229,396 EUR in 2013; and 262 518 EUR in 2014. Since 1 October 2014, the amount of the benefit for families with two and more children is increased and system for calculation of child care allowance and parental allowance is improved. From 1 January 2014, amount of non-taxable minimal personal income tax for dependent persons was increased, while in September 2013, a program was launched to provide State support for pre-school age child care services to families where children due to ques are unable to attend local government pre-school educational institutions.

[58] See Annex IV.

[59] See Annex V.

[60] The Law on the Sentence Execution Code of Latvia, the State Probation Service Law, the Criminal Law, and the Criminal Procedure Law.

[61] Currently, further amendments to this law are drafted aimed at ensuring the rights of detained persons and improvement of housing conditions in detention centres of the State Police (the amendments relate to the minimums space for walking areas, time available for open-air walks, hygiene standards, etc.).

[62] Assisted by the Norwegian Financial Mechanism, Latvia is implementing extensive projects "New Unit at Olaine Prison, including Construction and Training of Staff" and "Improving the Standard in Latvian State Police Detention Centres", and in their framework:

1. a new Centre for Addicts in Olaine Prison is being constructed, where the convicts will be involved in specific programs for the elimination of addictions elimination (deadline – 30 April 2016);
2. 10 short-term detention centres of the State Police have been renovated and reconstructed, and new training program for the staff of detention centres is expected with particular attention to the issue of respect for human rights (deadline – 30 April 2016).
3. In October 2014, in the framework of the project "Improving the Standards of the Latvian State Police Short-Term Detention Centres", the State Police organized international seminar "Presenting the Latvian System of State Police Short-Term Detention Centres and Identifying Deficiencies".

[63] Pursuant to information provided by the Ministry of Justice in March 2015, implementation of the respective standard has not been possible yet in the Investigation Prison Unit of Iļģuciems Prison and the Investigation Prison Unit of Valmiera Prison.

[64] The guidelines include tasks and measures for ensuring the sustainable, planned and coordinated national policy on elimination of human trafficking – such as to eliminate and combat human trafficking, provide support to the victims and promote cross-sectoral cooperation for achieving of these aims. The Guidelines, inter alia, envisage assessing the possibilities to improve support services for children-victims of human trafficking, including accommodation and medium and long-term support programs adjusted for children.

[65] See Annex VI.

[66] The material explains the aims of support services available to victims of human trafficking and procedure for receiving them. It is available in Latvian, Russian and English on the Ministry's website and on the website www.cilvektirdznieciba.lv. It has also been sent to the Ministry of Interior and members of the working group for further distribution and use in daily work.

[67] The project is implemented by institutions and NGO's of Latvia, Lithuania, Estonia, Finland, Slovakia, Ireland. Project activities include national and regional discussions in five countries, preparation of the report, experts' training, and informative activities.